

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICOUNITED STATES OF AMERICA *
Plaintiff,

v.

PEDRO AYALA-ROSADO,
Defendant.*
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CIVIL NO. 96-2413 (OG)

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U.S. DISTRICT COURT
SAN JUAN, PRORDER

The matter before the Court is the unopposed Magistrate-Judge's Report and Recommendation concerning Petitioner's Motion to Vacate Conviction Pursuant to 28 U.S.C. § 2255.

The ineffective assistance of counsel claim raised by petitioner Ayala-Rosado in his motion, was duly analyzed by the U.S. Magistrate Judge. The Magistrate-Judge recommends the denial of petitioner's motion because petitioner's allegations were conclusory, vague and meritless thus failing to overcome the presumption that petitioner's counsel's performance was reasonable. The Court agrees with the Magistrate Judge's recommendation, and therefore approves and adopts the report and recommendation.

In view of the above the unopposed report and recommendation is hereby **Approved and Adopted**. For the reasons stated therein petitioner's 2255 motion is hereby **Denied**.

IT IS SO ORDERED.

San Juan, Puerto Rico March 29, 2000.

Juan M. Perez-Gimenez
JOAN M. PEREZ-GIMENEZ
U.S. District Judge

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